

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

**RICKEY L. JACKSON,**

**Petitioner,**

**v.**

**UNITED STATES OF AMERICA,**

**Respondent.**

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**No. 1:06CV00032 ERW**

**ORDER AND MEMORANDUM**

This matter is before the Court upon petitioner's, Rickey L. Jackson's, motion for reconsideration [doc. #8]. Jackson moves the Court to reconsider its Order of March 10, 2006, transferring this matter to the Eighth Circuit Court of Appeals pursuant to 28 U.S.C. § 1631.

In support of said motion, Jackson states that the Court erred in transferring his Rule 60(b) motion to the Court of Appeals because the United States Supreme Court denied his petition for a writ of certiorari on October 3, 2005. Therefore, Jackson argues, his motion, filed February 28, 2006, was brought within the one-year period of limitations prescribed by 28 U.S.C. § 2255(1).

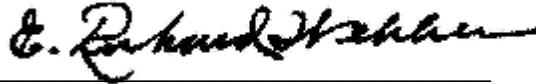
"Motions for reconsideration serve a limited function: to correct manifest errors of law or fact or to present newly discovered evidence." *Hagerman v. Yukon Energy Corp.*, 839 F.2d 407, 414 (8th Cir. 1988) (quoting *Rothwell Cotton Co. v. Rosenthal & Co.*, 827 F.2d 246, 251 (7th Cir.), *as amended*, 835 F.2d 710 (7th Cir. 1987). Moreover, a motion to reconsider may not be used to raise arguments which could have been raised prior to the Court's dismissal of the action. *See Federal Deposit Ins. Corp. v. Meyer*, 781 F.2d 1260, 1268 (7th Cir. 1986).

The Court has reviewed Jackson's motion and finds no "manifest errors of law or fact" in its Order of March 10, 2006. In said Order, the Court transferred this action to the Court of Appeals because it is a second or successive § 2255 motion. The Court made no findings as to the timeliness of Jackson's petition. Therefore, the Court will deny Jackson's motion for reconsideration.

In accordance with the foregoing,

**IT IS HEREBY ORDERED** that petitioner's motion for reconsideration [doc. #8] is **DENIED**.

So Ordered this 24th Day of March, 2006.

A handwritten signature in black ink, appearing to read "E. Richard Webber", written in a cursive style.

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**E. RICHARD WEBBER**  
**UNITED STATES DISTRICT JUDGE**